

1 AN ACT in relation to children.

2 WHEREAS, Untreated mental health problems in children
3 have serious fiscal consequences for the State because they
4 affect children's ability to learn and increase their
5 propensity for violence, alcohol and substance abuse, and
6 other delinquent behaviors that are extremely costly to
7 treat; and

8 WHEREAS, One in 10 children in Illinois suffers from a
9 mental illness severe enough to cause some level of
10 impairment; yet, in any given year only about 20% of these
11 children receive mental health services; and

12 WHEREAS, Many mental health problems are largely
13 preventable or can be minimized with promotion and early
14 intervention services that have been shown to be effective
15 and that reduce the need for more costly interventions; and

16 WHEREAS, Children's social development and emotional
17 development are essential underpinnings to school readiness
18 and academic success; and

19 WHEREAS, A comprehensive, coordinated children's mental
20 health system can help maximize resources and minimize
21 duplication of services; and

22 WHEREAS, The Illinois Children's Mental Health Task Force
23 engaged a broad, multi-disciplinary group that reached
24 consensus on recommendations that serve as the basis for the
25 provisions of this Act; therefore

26 Be it enacted by the People of the State of Illinois,
27 represented in the General Assembly:

28 Section 1. Short title. This Act may be cited as the
29 Children's Mental Health Act of 2003.

1 Section 5. Children's Mental Health Plan.

2 (a) The State of Illinois shall develop a Children's
3 Mental Health Plan containing short-term and long-term
4 recommendations to provide comprehensive, coordinated mental
5 health prevention, early intervention, and treatment services
6 for children from birth through age 18. This Plan shall
7 include but not be limited to:

8 (1) Coordinated provider services and interagency
9 referral networks for children from birth through age 18
10 to maximize resources and minimize duplication of
11 services.

12 (2) Guidelines for incorporating social and
13 emotional development into school learning standards and
14 educational programs, pursuant to Section 15 of this Act.

15 (3) Protocols for implementing screening and
16 assessment of children prior to any admission to an
17 inpatient hospital for psychiatric services, pursuant to
18 subsection (a) of Section 5-5.23 of the Illinois Public
19 Aid Code.

20 (4) Recommendations regarding a State budget for
21 children's mental health prevention, early intervention,
22 and treatment across all State agencies.

23 (5) Recommendations for State and local mechanisms
24 for integrating federal, State, and local funding sources
25 for children's mental health.

26 (6) Recommendations for building a qualified and
27 adequately trained workforce prepared to provide mental
28 health services for children from birth through age 18
29 and their families.

30 (7) Recommendations for facilitating research on
31 best practices and model programs, and dissemination of
32 this information to Illinois policymakers, practitioners,
33 and the general public through training, technical
34 assistance, and educational materials.

1 (8) Recommendations for a comprehensive,
2 multi-faceted public awareness campaign to reduce the
3 stigma of mental illness and educate families, the
4 general public, and other key audiences about the
5 benefits of children's social and emotional development,
6 and how to access services.

7 (9) Recommendations for creating a quality-driven
8 children's mental health system with shared
9 accountability among key State agencies and programs that
10 conducts ongoing needs assessments, uses outcome
11 indicators and benchmarks to measure progress, and
12 implements quality data tracking and reporting systems.

13 (b) The Children's Mental Health Partnership (hereafter
14 referred to as "the Partnership") is created. The Partnership
15 shall have the responsibility of developing and monitoring
16 the implementation of the Children's Mental Health Plan as
17 approved by the Governor. The Children's Mental Health
18 Partnership shall be comprised of: the Secretary of Human
19 Services or his or her designee; the State Superintendent of
20 Education or his or her designee; the directors of the
21 departments of Children and Family Services, Public Aid,
22 Public Health, and Corrections, or their designees; the head
23 of the Illinois Violence Prevention Authority, or his or her
24 designee; the Attorney General or his or her designee; up to
25 25 representatives of community mental health authorities and
26 statewide mental health, children and family advocacy, early
27 childhood, education, health, substance abuse, violence
28 prevention, and juvenile justice organizations or
29 associations, to be appointed by the Governor; and 2 members
30 of each caucus of the House of Representatives and Senate
31 appointed by the Speaker of the House of Representatives and
32 the President of the Senate, respectively. The Governor shall
33 appoint the Partnership Chair and shall designate a
34 Governor's staff liaison to work with the Partnership.

1 (c) The Partnership shall submit a Preliminary Plan to
2 the Governor on September 30, 2004 and shall submit the Final
3 Plan on June 30, 2005. Thereafter, on September 30 of each
4 year, the Partnership shall submit an annual report to the
5 Governor on the progress of Plan implementation and
6 recommendations for revisions in the Plan. The Final Plan and
7 annual reports submitted in subsequent years shall include
8 estimates of savings achieved in prior fiscal years under
9 subsection (a) of Section 5-5.23 of the Illinois Public Aid
10 Code and federal financial participation received under
11 subsection (b) of Section 5-5.23 of that Code. The
12 Department of Public Aid shall provide technical assistance
13 in developing these estimates and reports.

14 Section 10. Office of Mental Health services. The Office
15 of Mental Health within the Department of Human Services
16 shall allow grant and purchase-of-service moneys to be used
17 for services for children from birth through age 18.

18 Section 15. Mental health and schools.

19 (a) The Illinois State Board of Education shall develop
20 and implement a plan to incorporate social and emotional
21 development standards as part of the Illinois Learning
22 Standards for the purpose of enhancing and measuring
23 children's school readiness and ability to achieve academic
24 success. The plan shall be submitted to the Governor, the
25 General Assembly, and the Partnership by December 31, 2004.

26 (b) Every Illinois school district shall develop a
27 policy for incorporating social and emotional development
28 into the district's educational program. The policy shall
29 address teaching and assessing social and emotional skills
30 and protocols for responding to children with social,
31 emotional, or mental health problems, or a combination of
32 such problems, that impact learning ability. Each district

1 must submit this policy to the Illinois State Board of
2 Education by August 31, 2004.

3 Section 95. The Illinois Public Aid Code is amended by
4 adding Section 5-5.23 as follows:

5 (305 ILCS 5/5-5.23 new)

6 Sec. 5-5.23. Children's mental health services.

7 (a) The Department of Public Aid, by rule, shall require
8 the screening and assessment of a child prior to any
9 Medicaid-funded admission to an inpatient hospital for
10 psychiatric services to be funded by Medicaid. The screening
11 and assessment shall include a determination of the
12 appropriateness and availability of out-patient support
13 services for necessary treatment. The Department, by rule,
14 shall establish methods and standards of payment for the
15 screening, assessment, and necessary alternative support
16 services.

17 (b) The Department of Public Aid, to the extent
18 allowable under federal law, shall secure federal financial
19 participation for Individual Care Grant expenditures made by
20 the Department of Human Services for the Medicaid optional
21 service authorized under Section 1905(h) of the federal
22 Social Security Act, pursuant to the provisions of Section
23 7.1 of the Mental Health and Developmental Disabilities
24 Administrative Act.

25 (c) The Department of Public Aid shall work jointly with
26 the Department of Human Services to implement subsections (a)
27 and (b).

28 Section 99. Effective date. This Act takes effect upon

1 becoming law.